

Message Text

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ORIGIN IO-13

INFO OCT-01 ADP-00 ACDA-19 AEC-11 AF-10 ARA-11 CIAE-00

DODE-00 EA-11 EUR-25 PM-09 H-02 INR-10 L-03 NASA-04

NEA-10 NSAE-00 NSC-10 OIC-04 PA-03 PRS-01 RSC-01

GAC-01 SCI-06 SS-15 MBFR-03 USIA-12 SAJ-01 /196 R

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APPROVED BY IO/ UNP- MROTHENBERG

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66640

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P R 140103 Z APR 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

USMISSION NATO

USMISSION GENEVA

INFO ALL NATO CAPITALS

AMEMBASSY MOSCOW

AMEMBASSY TOKYO

AMEMBASSY VIENNA

AMEMBASSY BOGOTA

AMEMBASSY SANTIAGO

AMEMBASSY ISLAMABAD

AMEMBASSY MADRID

AMEMBASSY STOCKHOLM

AMEMBASSY MEXICO

AMEMBASSY BUENOS AIRES

AMEMBASSY BRASILIA

AMCONSUL HONG KONG

AMEMBASSY TEHRAN

AMEMBASSY NEW DELHI

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DISTO/ VIENNA FOR USDEL MBFR

E. O. 11652: GDS

TAGS: PARM, UN, NATO

SUBJECT: WDC SPECIAL COMMITTEE

REF: (A) USNATO 1782 (NOTAL); (B) GENEVA 1654 (NOTAL);

(C) GENEVA 1677 (NOTAL); (D) GENEVA 1704 (NOTAL);

(E) USUN 1331 (NOTAL)

1. OUR VIEWS ON WDC SPECIAL COMMITTEE ARE UNCHANGED. THE VIEWS OF OTHER COUNTRIES ARE WELL KNOWN AND WE SEE NO NEED FOR FURTHER EXAMINATION OF VIEWS, AND HENCE NO UTILITY TO THE WDC SPECIAL COMMITTEE. THERE IS NO JUSTIFICATION FOR HOLDING SPECIAL COMMITTEE MEETING TO GIVE APPEARANCE OF PROGRESS WHEN CONDITIONS FOR REAL PROGRESS DO NOT EXIST. ARGUMENT MADE BY SOVS IN RECENT SERIES OF DEMARCHES TO MANY COUNTRIES THAT MEETING WOULD BE ON. IT WAS ALSO AGREED THAT ASSISTANCE OBLIGATION SHOULD ARISE BOTH IN CASE OF DAMAGE AND IN CASE OF THE ASTRONAUT AGREEMENT ART V (4) SITUATION WHERE A LAUNCHING STATE IS TO HELP IN REMOVING FRAGMENT THAT IS " OF A HAZARDOUS OF DELETERIOUS NATURE". DURING DISCUSSION WE SOUGHT TO AVOID SUCH PHRASES AS " LIKELY DAMAGE" OR " NON- MATERIAL DAMAGE" AS WELL AS ANYTHING AFFECTING EXISTING OUTER SPACE TREATY, ASTRONAUT AGREEMENT AND LIABILITY CONVENTION RIGHTS AND OBLIGATIONS OR THAT WOULD REOPEN ISSUES.

3. THE TEXT AS APPROVED READS:

" WHERE THE APPLICATION OF THE PROVISIONS OF THIS CONVENTION HAS NOT ENABLED A STATE PARTY TO IDENTIFY A SPACE OBJECT WHICH HAS CAUSED DAMAGE TO IT OR TO ANY OF ITS NATURAL OR JURIDICAL PERSONS, OR WHICH MAY BE OF A HAZARDOUS OR DELETERIOUS NATURE, OTHER STATES PARTIES, INCLUDING IN PARTICULAR STATES POSSESSING SPACE MONITORING AND TRACKING FACILITIES, SHALL RESPOND TO THE GREATEST EXTENT FEASIBLE TO A REQUEST BY THAT STATE PARTY, OR TRANSMITTED THROUGH THE SECRETARY-GENERAL ON ITS BEHALF, FOR ASSISTANCE UNDER EQUITABLE AND REASONABLE CONDITIONS IN THE IDENTIFICATION OF THE OBJECT. AS STATE PARTY MAKING SUCH A REQUEST SHALL, TO THE GREATEST EXTENT FEASIBLE, SUBMIT INFORMATION AS TO THE TIME, NATURE AND CIRCUMSTANCES OF THE EVENTS GIVING RISE TO THE REQUEST. ARRANGEMENTS UNDER WHICH SUCH ASSISTANCE SHALL BE RENDERED SHALL BE THE OBJECT OF AGREEMENT BETWEEN THE PARTIES CONCERNED."

4. IN THE PM SESSION, THE WORKING GROUP ALSO AGREED IN

A PRELIMINARY READING ON ART IV, CONCERNING THE CENTRAL
REGISTRY ALONG THE LINES OF THE US PROPOSAL, NAMEL Y:

" 1. THE SECRETARY GENERAL SHALL MAINTAIN A
CENTRAL REGISTER IN WHICH THE INFORMATION
FURNISHED IN ACCORDANCE WITH ARTICLE III
SHALL BE RECORDED.
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"2. THERE SHALL BE FULL AND OPEN ACCESS TO
THE INFORMATION IN THIS REGISTER."

5. MARKING. THE US EXPLAINED WE CANNOT ACCEPT ANY
PROVISION WHATEVER ON MARKING, WHETHER DRAWN UP IN TERMS
OF SUPPOSED EXISTING FEASIBILITY OR WHAT MIGHT IN THE
FUTURE BECOME FEASIBLE. PRIVATELY SOV DEL TOLD US THEY
CAN ACCEPT A PROVISION ASKING PARTIES TO MARK WHEN THIS
MIGHT BECOME TECHNICALLY FEASIBLE, BUT KOLOSISOV, IN EFFORT
TO BE HELPFUL, DID NOT TELL THIS TO THE WORKING GROUP.

6. PERSONNEL. WE SAID WE DO NOT HAVE AUTHORITY TO ACCEPT
ADDING A REQUIREMENT THAT A PARTY SHALL INFORM THE SYG OF
THE PRESENCE OF PERSONNEL ABOARD A SPACE OBJECT WHICH IT
REGISTERS. CANADIAN REP MILLER PRESSED VERY HARD ON THIS
AND SAID REASONS FOR SUCH AN ATTITUDE COULD NOT BE UNDERSTOOD.
OTHERS AGREED. WE SAID AGREEMENT ON ART III SHOULD NOT BE HELD
UP ON THIS MATTER. KOLOSISOV SAID SUCH INFORMATION COULD IN
ANY EVENT BE SUBMITTED UNDER THE ART III (2) PROVISION PRO-
VIDING THAT A PARTY MAY OF COURSE SUBMIT ANY ADDITIONAL
INFORMATION IT WISHES.

7. INTERNATIONAL ORGANIZATIONS. THE US PROPOSAL WAS
ACCEPTED.

8. DEPOSITARY. ARGENTINA AT FIRST PRESSED ITS PROPOSAL
THAT THE SYG SERVE AS THE SINGLE DEPOSITARY. CANADA AND
UK SAID THEY INTENSELY DISLIKE THE MULTIPLE DEPOSITARY
PRACTICE, CANADA NOTING THE ADDITION OF A FOURTH DEPOSITARY
AT THE 1972 LONDON ANTI- DUMPING CONFERENCE MERELY SHOWS HOW
THE SYSTEM CAN BE ABUSED. BOTH DELS SAID THEY LOOK FORWARD
TO RETURNING THE DEPOSITARY FUNCTION TO THE SYG FOR ALL
TREATIES CONCLUDED IN THE UN BUT THAT IT IS NOT YET TIME
TO DO SO. ARGENTINA EVENTUALLY AGREED NOT TO PERSIST.

9. REVIEW CLAUSE AND CONSULTATIONS PROVISION. FRANCE AT
FIRST INSISTED ON A REVIEW CLAUSE WITH NO WAITING PERIOD
UNDER WHICH ONE- THIRD OF THE PARTIES TO THE REGISTRATION

TREATY COULD CALL FOR A REVIEW AT ANY TIME AFTER THE TREATY
ENTERS INTO FORCE. HUNGARY AND CANADA EVENTUALLY PERSUADED
FRANCE THAT THE LIABILITY CONVENTION'S FIVE- YEAR WAITING
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PERIOD IS PREFERABLE. WE SAID WE ARE NOT
AUTHORIZED TO ACCEPT ANY REVIEW CLAUSE. SUBSEQUENTLY WE
SUGGESTED IT MIGHT BE POSSIBLE TO RESOLVE THE MARKING,
REVIEW CLAUSE AND CONSULTATIONS PROVISION ISSUES BY INCLUDING
AN OBLIGATION OF PARTIES TO CONSULT IN THE LIGHT OF
SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS; NOTHING WOULD
BE INCLUDED ON REVIEW OR MARKING. CANADA SAID
THIS WOULD BE A BAD BARGAIN AND SHOULD NOT BE ACCEPTED.
FRANCE SAID PARIS EXISTING INSTRUCTIONS DO NOT PERMIT
ACCEPTANCE OF A REGISTRATION CONVENTION THAT HAS NO
MARKING PROVISION. JAPAN, UK, ITALY, BELGIUM, SWEDEN,
MEXICO, BRAZIL AND ARGENTINA AT ONE TIME OR ANOTHER SAID
THEY CANNOT UNDERSTAND WHY THE US WOULD DECLINE THE SAME
REVIEW CLAUSE IN THIS TREATY THAT IS IN THE LIABILITY CONVENTION
SINCE THE US HAS SAID THAT THE ONE IS INTENDED TO IMPLEMENT THE
OTHER. SOV REP TOLD US HE BELIEVES USSR CAN ACCEPT THE LIABILITY
CONVENTION REVIEW CLAUSE. WE EXPLAINED TO THE WORKING GROUP
THAT THE LIABILITY CONVENTION REVIEW CLAUSE WOULD HAVE TO
BE BRACKETED TO INDICATE OUR NON- AGREEMENT. THIS WAS DONE.

10. PREAMBLE. WORKING GROUP BEGAN CONSIDERATION OF PREAMBLE
BUT DID NOT GET FAR BEFORE MEETING ADJOURNED 6:30 PM.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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Disposition Date: 28 MAY 2004
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US Department of State
EO Systematic Review
30 JUN 2005

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USUN NEW YORK INFO BOGOTA
BRASILIA
ISLAMABAD
MULTIPLE

Type: TE

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